

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

CONSOLIDATION COAL COMPANY,)	
)	
Plaintiff,)	
)	
v.)	
)	
UNITED STATES DEPARTMENT OF THE)	
INTERIOR, NATIONAL PARK SERVICE, et al.)	
)	CIVIL ACTION No. 00-2120
Defendants)	
<hr style="width: 40%; margin-left: 0;"/>)	
)	
ROY BRENDDEL and DIANE BRENDDEL)	
)	
Third-Party Plaintiffs,)	
)	
v.)	
)	
UNITED STATES DEPARTMENT OF THE)	
INTERIOR, NATIONAL PARK SERVICE, et al.)	
)	
Third-Party Defendants)	

STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED by and between Joseph A. Katarincic, Thorp Reed & Armstrong, LLP, counsel for Plaintiff and Third-Party Defendants, and David C. Hook, Hook & Hook, counsel for Defendants and Third-Party Plaintiffs, as follows:

1. All claims, demands, and any causes of action asserted or maintained in this action by any party thereto in the form of an original claim, counterclaim, third party claim, cross complaint, cross-claim, or otherwise and filed in the above action have been settled and are to be dismissed with prejudice and this action discontinued.
2. Each party shall assume its own costs.

Dated: July 24, 2006

Respectfully submitted,

/s/(with permission) David C. Hook

/s/Joseph A. Katarincic

David C. Hook
PA I.D. # 27028
Hook & Hook
P O Box 792
Waynesburg, PA 15370
724-627-6146

Counsel for Defendants and Third-Party
Plaintiffs
Roy Brendel and Diane Brendel

Joseph A. Katarincic
PA. I.D. # 11427
Lauren D. Rushak
PA I.D. # 83728
THORP REED & ARMSTRONG
One Oxford Centre
301 Grant Street, 14th Floor
Pittsburgh, PA 15219-1425
412-394-7711

Counsel for Plaintiff and Third-Party
Defendants
Consolidation Coal Company and
Thomas J. Hoffman